

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

v.

Case No. 24-CR-00037-02 - SRB

JOHNSON A. MANGOL,
Defendant.

MOTION TO CONTINUE JURY TRIAL SETTING

Defendant Johnson A. Mangol, through counsel, Laura O'Sullivan respectfully moves this Court to grant his motion to continue the jury trial setting in this case from the March 17, 2025, trial docket to the July 7, 2025, trial docket. Defendant states the following in support of this request:

1. Trial is currently scheduled for March 17, 2025. Doc. 47.
2. The original indictment in this case was filed on February 20, 2024. Doc. 4. In this indictment, Mangol was charged in three counts with the following offenses: conspiracy to distribute fentanyl in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 846; possession with intent to distribute fentanyl in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C); and felon in possession of firearms in violation of 18 U.S.C. 21 U.S.C. §§ 922(g)(1) and 924(a)(8). See Doc. 4.
3. On July 31, 2024, undersigned counsel was appointed to represent Mr. Mangol. Doc. 43.
4. Discovery was received by undersigned counsel on or about August 19, 2024.

Counsel received supplemental discovery on January 7, 2025, and February 7, 2025.

Discovery includes reports, documents, and photos, audio, video.

5. On February 6, 2025, the grand jury returned a superseding indictment. Doc. 56. In this superseding indictment, Mangol is charged in eight counts with the following offenses: possession with the intent to distribute alprazolam in violation of 21 U.S.C. §§ 841(a)(1) and (b)(2); four counts of distribution of fentanyl in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C); conspiracy to distribute fentanyl in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(C), and 846; possession with intent to distribute fentanyl in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C); and felon in possession of firearms in violation of 18 U.S.C. 21 U.S.C. §§ 922(g)(1) and 924(a)(8). *See* Doc. 56.

6. The new indictment adds five charges as well as charging additional offense dates as far back as 2020. These counts include allegations of events not previously charged.

7. Undersigned counsel filed a Motion to Suppress Evidence on January 13, 2025. Doc. 54.

8. The outcome of the litigation of pretrial motions will substantially impact the preparation of this matter for trial or settlement.

9. Mr. Mangol and undersigned counsel require additional time to litigate pretrial motions, to review discovery recently provided, to prepare to defend these additional charges, to continue plea negotiations, and to have the time necessary for counsel's effective preparation, considering the exercise March 17, 2025.

10. Codefendant Haley House entered a plea of guilty on December 12, 2024, and sentencing is scheduled on April 15, 2025. Doc. 48.

11. Jeffrey McCarther, Assistant United States Attorney, was consulted and does not object to this continuance.

12. Mr. Mangol has been informed of the statutory right to a speedy trial, joins in this request to continue, and does not object to the tolling of speedy trial during the requested period.

13. This continuance is not sought for the purpose of dilatory delay but is sought in truth and fact that Mr. Mangol may be afforded due process of law under the Fifth Amendment to the United States Constitution and afforded effective assistance of counsel under the Sixth Amendment to the United States Constitution. In accordance with 18 U.S.C. §§ 3161(h)(7)(A) and (b)(iv), it is submitted that the above-stated reasons for a continuance outweigh the best interest of the public and the defendant to a speedy trial, which is required by 18 U.S.C. § 3161(c)(1).

14. Under 18 U.S.C. § 3161(h)(8)(A), the time until the next setting should be excluded in computing the time in which the defendant should be brought to trial under the Speedy Trial Act.

WHEREFORE Mr. Mangol respectfully moves this Court for an order continuing the trial setting, to exclude the period from filing the motion to the next scheduled hearing date to calculate deadlines under the Speedy Trial Act, and for whatever other relief this Court deems just and proper.

Respectfully Submitted,

SANDAGE LAW LLC

/s/ Laura O'Sullivan

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ATTORNEY FOR MR. MANGOL

CERTIFICATE OF SERVICE

On February 10, 2025, I served this document by depositing an electronic copy of it in the Court's electronic filing system, which shall distribute notice to all attorneys of record.

/s/ Laura O'Sullivan

Laura O'Sullivan